IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 22ND SEPTEMBER 2006 / 31ST BHADRA 1928

Bail Appl..No. 5645 of 2006

CMP.5786/2006 of J.M.F.C.-I,PATHANAMTHITTA
CRIME NO. 30/2006 OF PATHANAMTHITTA EXCISE RANGE

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PETITIONER

CHELLAPPAN @ MANIYAN,
AGED 45 YEARS, S/O.KUNJAN,
NATTUPARA MODIYIL, OMARANILKUNNATHIL,
THUMPAMON, MAZHUVELI VILLAGE,
KOZHENCHERRY TALUK.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS:

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1. EXCISE INSPECTOR,
PATHANAMTHITTA RANGE.

2. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/09/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5645/2006

DATED THIS THE 22ND DAY OF SEPTEMBER, 2006

O R D E R

The petitioner was arrested on 19.8.2006 with 200 liters of wash and 30 liters of illicit arrack, by the Inspector of Excise Range, Pathanamthitta, who registered C.R.No.30/2006 of that Excise Range, under Sections 8(1) & (2) and 55(g) of the Abkari Act. The petitioner is in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. The prosecution submits that there is no other case registered against the petitioner. The investigation , in respect of the petitioner, is complete.

3. In the above facts situation of the case, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent

sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-I, Pathanamthitta.

(b). The petitioner shall report before the Investigating Officer, once in a week, on every Thursday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 28.9.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs